

REMARKS

Claims 1-45 are pending and stand rejected. In response, Applicants have canceled claims 15, 30, and 45 and amended claims 1, 5, 7, 16, 20, 22, 26, 31, 35, and 37. Claims 1-14, 16-29, and 31-44 remain pending upon entry of this amendment.

35 U.S.C. § 112 Rejections

Claims 15, 30, and 45 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. In response, Applicants have canceled these claims without prejudice.

Art Rejections

Claims 1, 2, 4-7, 9, 11-13, 16, 17, 19-22, 24, 26-28, 31, 32, 34-37, 39, and 41-43 stand rejected under 35 U.S.C. §102(b) as being anticipated by Kulik (5,661,653). In response, Applicants have amended independent claims 1, 16, and 31. In addition, Applicants have amended some dependent claims to conform with the changes to their respective base claims.

Generally, the claims relate to a system that automatically calculates rates for shipping goods. Freight shipping companies provide rate sheets that specify the shippers' rates and terms. However, different shippers' rate sheets are often in different formats and specify rates in different ways. As a result, it is difficult for an automated process to interpret the rate sheets. The independent claims are directed to a way to overcome this hurdle and automatically read, and generate rules from, different rate sheets.

As amended, the independent claims recite performing a heuristic analysis of a rate sheet. This analysis is used to identify a template that is adapted to interpret the rate sheet data. The template and rate sheet together provide enough information to generate rules for calculating freight rates for the shipper that supplied the rate sheet. Support for this amendment is found in the specification at, for example, paragraphs 100-104.

Consider amended claim 16 which recites:

16. A method of determining freight rates, comprising:
- receiving data representative of a rate sheet, the rate sheet specifying freight rates;
 - interfacing with a template storage module storing a plurality of templates, each template adapted to interpret a particular type of rate sheet;
 - heuristically analyzing the rate sheet to identify a template in the template storage module adapted to interpret the rate sheet; and**
 - generating rules for calculating the freight rates responsive to the identified template and the rate sheet.

The heuristic analysis performed according to this claim could include, for example, identifying keywords in the rate sheet that might indicate the shipper (e.g., the keyword "UPS" might indicate that the shipper is United Parcel Service). Likewise, the keyword "Zones" located at the top of the sheet might indicate that a table below the keyword contains zone information. Based on these hints, the appropriate template for interpreting the rate sheet is identified.

Independent Claims 1, 16, and 31 stand rejected as anticipated by Kulik. Kulik does not heuristically analyze a rate sheet to identify a template adapted to interpret it. Kulik discloses a system that stores published standard rates tables (see col. 5, lines 29-32). A user can provide Kulik's system with a custom template that specifies a parameter range for class processing for the rates table. Kulik's system uses the template and the rates table to generate a custom rates table (see col. 6, lines 30-35).

However, in Kulik's system the rate tables are already known and are explicitly associated with given templates. Therefore, Kulik's system can easily identify the appropriate template without subjecting the rate sheet to a heuristic analysis. Kulik thus neither discloses nor suggests the heuristic analysis recited by the independent claims.

The differences between Kulik and the claimed invention are further highlighted by claims 5-7, 20-22, and 35-37. These claims recite using the presence and/or locations of keywords in the rate sheet to identify the appropriate template. For example, claim 20 recites "identifying the template adapted to interpret the rate sheet responsive to **keywords in the rate sheet.**"

The Examiner rejected claims 5-7, 20-22, and 35-37 as being anticipated by Kulik. For support, the Examiner relies on col. 6, lines 20-40 and asserts that user defined variables such as class and weight are equivalent to keywords. However, these variables are located in the **template**, not in the **rate sheet**, and are not used to identify a template as claimed.

Dependent claims 11, 13, 26, 28, 41, and 43 describe sending a rate sheet to a remote location for analysis. This feature might be desirable, for example, when a local heuristic analysis cannot identify a template for interpreting the rate sheet. In this case, the rate sheet can be sent to a remote location in order to generate a template or to figure out why the proper template was not identified.

The Examiner's only remarks regarding these claims are "See reference numerals 21 and 23." In Kulik, these numerals refer to "application software 21" and "motion control system 23." According to Kulik's specification, these two elements are software programs that control the operation of a scale and postage meter to perform weighing and printing. Applicants respectfully submit that these elements do not anticipate the claimed features, and request that the Examiner provide a more detailed explanation of this rejection should it be maintained.

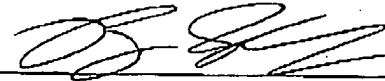
Of the remaining claims, claims 10, 15, 25, 30, 40, and 45 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kulik, claims 3, 8, 18, 23, 33, and 38 stand rejected under §103(a) as being unpatentable over Kulik in view of Mattioli (6,286,009), and claims 14, 29, and 44 stand rejected under §103 over Kulik in view of Schwartz (6,462,286). Applicants submit that neither of these additional references discloses or suggests the features specifically mentioned above.

In conclusion, Applicants respectfully submit that the claims discussed above are allowable over the art of record for the reasons described. The claims not specifically mentioned above incorporate the features of their respective base claims and are believed allowable for at least the same reasons. Therefore, Applicants respectfully request that the Examiner pass this application to issue.

The Examiner is invited to contact the undersigned by telephone in order to advance the prosecution of this application.

Respectfully submitted,
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